

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DAVID ERWIN JONES, SR.,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-23-242-F
)	
GEO GROUP, INC., et al.,)	
)	
Defendants.)	

ORDER

On May 12, 2023, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation, recommending this 42 U.S.C. § 1983 action be dismissed without prejudice under Rule 41(b), Fed. R. Civ. P., for plaintiff's failure to pay the initial filing fee as ordered by the court, failure to prosecute, and failure to follow the court's rules. Magistrate Judge Erwin advised plaintiff that any objections to the Report and Recommendation must be filed with the clerk of the court on or before May 30, 2023, and specifically advised him that failure to make timely objection to the Report and Recommendation waives the right to appellate review of the factual findings and legal issues therein decided.

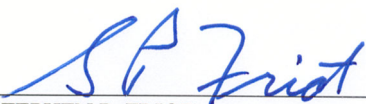
To date, the court has not received any objection by plaintiff to the Report and Recommendation.¹ With no objection being filed within the time prescribed by

¹ Three days after Magistrate Judge Erwin issued the Report and Recommendation, the court received a letter from plaintiff, on May 15, 2023, inquiring of the progress of his case and submitting a copy of a medical bill from OU Medical Center. *See*, doc. no. 9.

Magistrate Judge Erwin, the court accepts, adopts, and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation of United States Magistrate Judge Shon T. Erwin (doc. no. 8) is **ACCEPTED, ADOPTED, and AFFIRMED**. This 42 U.S.C. § 1983 action is **DISMISSED WITHOUT PREJUDICE** under Rule 41(b), Fed. R. Civ. P., for failure to pay the initial filing fee as ordered by the court, failure to prosecute, and failure to follow the court's rules. A judgment will issue separately.

DATED this 14th day of June, 2023.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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